



Joseph V. DeMarco
Telephone: 212.922.9499
jvd@devoredemarco.com

September 2, 2016

VIA ECF and FAX

Honorable Robert W. Sweet
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, New York 10007-1312

Re: *Elsevier, Inc., et al. v. Sci-Hub, et al.*, 15-cv-4282 (RWS)

Dear Judge Sweet,

As the Court is aware, we represent the Plaintiffs in the above-captioned action, in which the Court has entered a Preliminary Injunction in favor of Plaintiffs.

To date, the Defendants have failed to appear. Moreover, the infringing activities that prompted Plaintiffs' request for injunctive relief have continued, notwithstanding the Court's ruling. Our efforts to locate the identities and whereabouts of the Doe Defendants have also continued, but, to date, have been unsuccessful.

As part of those efforts, however, Plaintiffs have identified a third party not within the ambit of the Court's prior Order, which may have records that can help us identify the identities and locations of the Doe defendants. Accordingly, Plaintiffs expect to file a motion with the Court for permission to serve discovery on that third party. We expect that we will file that motion by September 13, 2016, and therefore respectfully request that the Court adjourn the status conference, currently scheduled for Wednesday, September 7, 2016, at 4:00 p.m., for approximately 45 days so that the Court can rule on Plaintiffs' request and, if granted, the desired discovery can be sought and obtained.

This is Plaintiffs' third request for an adjournment of the pretrial conference, the first two of which were granted. As none of the Defendants have appeared, we have not been able to procure their consent to this adjournment.

Respectfully submitted,

/s/ Joseph V. DeMarco
Joseph V. DeMarco

Cc: All Defendants by means authorized by Court Order



99 Park Avenue, Suite 1100 New York, New York 10016 Telephone: 212.922.9499 Fax: 212.922.1799

www.devoredemarco.com